

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Madam Speaker, on rollcall No. 395, S. 203, I was held up with airplane problems. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Ms. MCKINNEY. Madam Speaker, I was unavoidably delayed getting to the floor due to Delta Flight #634 being delayed due to bad weather in the area and missed rollcall vote Nos. 394 and 395 on July 24, 2006. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mrs. DAVIS of California. Madam Speaker, I missed the following two votes, Nos. 394 and 395, due to a delayed flight from San Diego. I would have voted "yea" on S. 1496 and S. 203.

IN HONOR OF THE LATE CONGRESSMAN TOM MANTON

(Mr. RANGEL asked and was given permission to address the House for 1 minute.)

Mr. RANGEL. Madam Speaker and my colleagues, last Saturday, we lost Tom Manton. Many of you worked with him and knew him as well as we did in the city of New York.

He was the son of Irish immigrants. His family came to this country. He worked as a salesman. He was a policeman for the New York City Police Department. He worked before that as a city councilman.

Most of you knew him when he came to Congress and served so well, and he was followed to the Congress by Joe Crowley. He left the Congress to become the Democratic county leader for the County of Queens and made a name for himself as he sought out black and white, Irish, Asian, Hispanic candidates for one of the most diverse political subdivisions that we have in the city of New York. He is what we call, in New York City, a "politician's politician," who was respected by Republicans as well as Democrats.

We will miss him in the city of New York, but he left a better city than the one that he inherited.

And I would like to yield to my friend and senior Republican in our New York delegation, Mr. BOEHLERT.

Mr. BOEHLERT. Madam Speaker, I thank the dean of our delegation for yielding.

I just want to say that all of us who were privileged to know and work with Tom Manton during his seven terms in this House of Representatives share a deep sense of personal loss. He was an absolutely outstanding individual. And I think Mayor Bloomberg of New York probably best described him in a very simple way. He said he was a "classy guy."

He was a guy who demonstrated in so many different ways his unflinching loyalty and his deep commitment to and faith in all of those things that he really believed in, his heritage, his religion, his party, his profession, his country, but, most of all, his family.

I think we are the lesser for Tom Manton's passing, but we are the greater because he touched our lives.

PROVIDING GRANTS TO EXPAND INFRASTRUCTURE NECESSARY TO INCREASE AVAILABILITY OF ALTERNATIVE FUELS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 5534, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 5534, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 355, nays 9, not voting 68, as follows:

[Roll No. 396]

YEAS—355

Abercrombie	Chandler	Garrett (NJ)
Ackerman	Chocola	Gerlach
Aderholt	Cleaver	Gilchrest
Akin	Clyburn	Gillmor
Alexander	Coble	Gingrey
Allen	Cole (OK)	Gohmert
Baca	Conaway	Gonzalez
Baird	Conyers	Goode
Baker	Cooper	Goodlatte
Baldwin	Costa	Gordon
Barrett (SC)	Cramer	Granger
Barrow	Crenshaw	Graves
Bartlett (MD)	Crowley	Green, Al
Barton (TX)	Cubin	Green, Gene
Bass	Cuellar	Grijalva
Bean	Cummings	Gutknecht
Berkley	Davis (AL)	Hall
Berry	Davis (CA)	Hart
Biggert	Davis (IL)	Hastings (FL)
Bilirakis	Davis (KY)	Hastings (WA)
Bishop (GA)	Davis (TN)	Hayes
Bishop (NY)	Davis, Tom	Hayworth
Blackburn	Deal (GA)	Hensarling
Blumenauer	DeFazio	Herger
Blunt	Delahunt	Higgins
Boehlert	DeLauro	Hinchey
Boehner	Dent	Hobson
Bonilla	Diaz-Balart, L.	Holden
Bonner	Diaz-Balart, M.	Holt
Bono	Dicks	Hooley
Boozman	Dingell	Hoyer
Boren	Doggett	Hulshof
Boswell	Doolittle	Hunter
Boucher	Doyle	Hyde
Boustany	Drake	Inglis (SC)
Bradley (NH)	Dreier	Inslee
Brady (PA)	Edwards	Israel
Brown (SC)	Ehlers	Jackson (IL)
Brown-Waite,	Emanuel	Jenkins
Ginny	Emerson	Jindal
Burgess	Engel	Johnson (CT)
Burton (IN)	English (PA)	Johnson (IL)
Butterfield	Eshoo	Johnson, E. B.
Buyer	Etheridge	Jones (NC)
Calvert	Farr	Jones (OH)
Camp (MI)	Fattah	Kanjorski
Campbell (CA)	Ferguson	Kaptur
Cantor	Filner	Keller
Capito	Fitzpatrick (PA)	Kelly
Capps	Foley	Kennedy (MN)
Capuano	Forbes	Kennedy (RI)
Cardin	Fortenberry	Kildee
Cardoza	Fossella	Kind
Carnahan	Frank (MA)	King (IA)
Castle	Franks (AZ)	Kirk
Chabot	Frelinghuysen	Kline

Knollenberg	Neugebauer	Scott (VA)
Kolbe	Ney	Serrano
Kucinich	Northup	Sessions
Kuhl (NY)	Norwood	Shadegg
LaHood	Nunes	Shaw
Langevin	Oberstar	Shays
Lantos	Obey	Sherman
Larsen (WA)	Oliver	Sherwood
Larson (CT)	Osborne	Shimkus
Latham	Otter	Shuster
LaTourette	Owens	Simmons
Leach	Pallone	Simpson
Lee	Pascrell	Skelton
Levin	Pastor	Slaughter
Lewis (CA)	Payne	Smith (NJ)
Lewis (GA)	Pearce	Smith (TX)
Lewis (KY)	Pelosi	Smith (WA)
Linder	Pence	Snyder
Lipinski	Peterson (MN)	Sodrel
LoBiondo	Peterson (PA)	Solis
Lofgren, Zoe	Petri	Souder
Lowey	Pickering	Spratt
Lucas	Pitts	Stark
Lungren, Daniel	Platts	Stearns
E.	Poe	Stupak
Lynch	Pombo	Sweeney
Mack	Pomeroy	Tancredo
Maloney	Porter	Tanner
Manzullo	Price (GA)	Tauscher
Marchant	Price (NC)	Taylor (MS)
Markey	Pryce (OH)	Taylor (NC)
Marshall	Putnam	Terry
Matsui	Radanovich	Thompson (CA)
McCarthy	Rahall	Thompson (MS)
McCollum (MN)	Ramstad	Thornberry
McCotter	Rangel	Tiahrt
McCrery	Regula	Tiberi
McDermott	Rehberg	Turner
McGovern	Reichert	Udall (NM)
McHugh	Reyes	Upton
McIntyre	Reynolds	Van Hollen
McKeon	Rogers (AL)	Velazquez
McKinney	Rogers (MI)	Visclosky
McNulty	Rohrabacher	Walden (OR)
Meehan	Ros-Lehtinen	Walsh
Meeks (NY)	Ross	Wamp
Melancon	Rothman	Wasserman
Mica	Roybal-Allard	Schultz
Michaud	Ruppersberger	Waters
Miller (MI)	Rush	Watson
Miller (NC)	Ryan (OH)	Watt
Miller, Gary	Ryan (WI)	Waxman
Miller, George	Ryun (KS)	Weldon (PA)
Mollohan	Salazar	Weller
Moore (KS)	Sánchez, Linda	Wicker
Moore (WI)	T.	Wilson (NM)
Moran (KS)	Sanders	Wilson (SC)
Murphy	Saxton	Wolf
Murtha	Schakowsky	Woolsey
Musgrave	Schiff	Wu
Myrick	Schmidt	Wynn
Nadler	Schwartz (PA)	Young (AK)
Napolitano	Schwarz (MI)	Young (FL)
Neal (MA)	Scott (GA)	

NAYS—9

Duncan	Fox	Royce
Feeney	McHenry	Sensenbrenner
Flake	Miller (FL)	Weldon (FL)

NOT VOTING—68

Andrews	Gallegly	Meek (FL)
Bachus	Gibbons	Millender-
Beauprez	Green (WI)	McDonald
Becerra	Gutierrez	Moran (VA)
Berman	Harman	Nussle
Bilbray	Harris	Ortiz
Bishop (UT)	Hefley	Oxley
Boyd	Herseth	Paul
Brady (TX)	Hinojosa	Renzi
Brown (OH)	Hoekstra	Rogers (KY)
Brown, Corrine	Honda	Sabo
Cannon	Hostettler	Sanchez, Loretta
Carson	Issa	Strickland
Carter	Istook	Sullivan
Case	Jackson-Lee	Thomas
Clay	(TX)	Tierney
Costello	Jefferson	Towns
Culberson	Johnson, Sam	Udall (CO)
Davis (FL)	Kilpatrick (MI)	Weiner
Davis, Jo Ann	King (NY)	Westmoreland
DeGette	Kingston	Wexler
Evans	Matheson	Whitfield
Everett	McCaul (TX)	
Ford	McMorris	

□ 1929

So (two-thirds of those voting having responded in the affirmative) the rules

were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to provide grants from moneys collected from violations of the corporate average fuel economy program to be used to expand infrastructure necessary to increase the availability of alternative fuels."

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. CARSON. Mr. Speaker, I was unable to record my rollcall votes Nos. 394–396. Had I been present I would have voted "yea."

PERSONAL EXPLANATION

Mr. BILBRAY. Mr. Speaker, on rollcall Nos. 394, 395 and 396, I was detained due to aircraft malfunction. Had I been present, I would have voted "yea" on all three rollcalls.

PERSONAL EXPLANATION

Mr. GREEN of Wisconsin. Mr. Speaker, I was absent from Washington on Monday, July 24, 2006. As a result, I was not recorded for rollcall votes Nos. 394, 395 and 396. Had I been present, I would have voted "yea" on rollcall Nos. 394, 395 and 396.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this Chamber today. Had I been present, I would have voted "yea" on rollcall votes Nos. 394, 395, and 396.

PERSONAL EXPLANATION

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, today I was unavoidably detained because my flight was canceled. I missed rollcall vote Nos. 394 through 396. Had I been present, I would have voted:

"Yes" on rollcall No. 394, S. 1496—"Electronic Duck Stamp Act of 2005," "yes" on rollcall No. 395, S. 203—"National Heritage Areas Act of 2005," and "yes" on rollcall No. 396, H.R. 5535—"To establish a grant program whereby moneys collected from violations of the corporate average fuel economy program are used to expand infrastructure necessary to increase the availability of alternative fuels."

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 2830, PENSION PROTECTION ACT OF 2005

Mr. GEORGE MILLER of California. Mr. Speaker, under rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 2830, the pension conference report.

The form of the motion is as follows:

I move that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2830 be instructed—

(1) to agree to the provisions contained in subsections (a) through (d) of section 601 of the Senate amendment (relating to prospective application of age discrimination, conversion, and present value assumption rules with respect to cash balance and other hybrid defined benefit plans) and not to agree with the provisions contained in title VII of the bill as passed the House (relating to benefit accrual standards);

(2) to agree to the provisions contained in section 413 of the Senate amendment (relating to computation of guaranteed benefits of airline pilots required to separate from service prior to attaining age 65), but only with respect to plan terminations occurring after September 11, 2001;

(3) to agree to the provisions contained in section 403 of the Senate amendment (relating to special funding rules for plans maintained by commercial airlines that are amended to cease future benefit accruals);

(4) to agree to the provisions contained in section 402 of the Senate amendment (relating to authority to enter alternative funding agreements to prevent plan terminations); and

(5) to recede to the provisions contained in the Senate amendment regarding restrictions on funding of nonqualified deferred compensation plans, except that—

(A) to the maximum extent possible within the scope of the conference, the managers on the part of the House shall insist that the restrictions under the bill as reported from conference regarding executive compensation, including under nonqualified plans, be the same as restrictions under the bill regarding benefits for workers and retirees under qualified pension plans,

(B) the managers on the part of the House shall insist that the definition of "covered employee" for purposes of such provisions contained in the Senate amendment include the chief executive officer of the plan sponsor, any other employee of the plan sponsor who is a "covered employee" within the meaning of such term specified in the provisions contained in the Senate amendment (applied by disregarding the chief executive officer), and any other individual who is, with respect to the plan sponsor, an officer or employee within the meaning of section 16(b) of the Securities Exchange Act of 1934, and

(C) in lieu of the effective date specified in such provisions contained in the Senate amendment, the managers on the part of the House shall insist on the effective date specified in the provisions of the bill as passed the House relating to treatment of nonqualified deferred compensation plans when the employer's defined benefit plan is in at-risk status.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1956, BUSINESS ACTIVITY TAX SIMPLIFICATION ACT OF 2006

Mr. GINGREY, from the Committee on Rules, submitted a privileged report (Rept. No. 109–595) on the resolution (H. Res. 939) providing for consideration of the bill (H.R. 1956) to regulate certain State taxation of interstate commerce; and for other purposes, which was referred to the House Calendar and ordered to be printed.

AMENDMENT PROCESS FOR CONSIDERATION OF H.R. 4157, HEALTH INFORMATION TECHNOLOGY PROMOTION ACT OF 2005

Mr. GINGREY. Mr. Speaker, the Committee on Rules may meet later this week to grant a rule which could limit the amendment process for floor consideration of H.R. 4157, the Health Information Technology Promotion Act of 2005.

The bill was ordered reported by the Committee on Energy and Commerce on June 15, 2006. Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Rules Committee in room H-312 of the Capitol by 11 a.m. on Wednesday, July 26, 2006.

Members should draft their amendments to the text of the amendment in the nature of a substitute posted on the Web site of the Committee on Rules.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format and should check with the Office for the Parliamentarian to be certain their amendments comply with the Rules of the House.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore (Mr. KUHLMANN of New York) laid before the House the following communication from the chairman of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations and ordered to be printed:

COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE,
Washington, DC, July 20, 2006.

Hon. J. DENNIS HASTERT,
Speaker of the House, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Enclosed please find the resolutions approved by the Committee on Transportation and Infrastructure on July 19, 2006, in accordance with 40 U.S.C. § 3307.

Sincerely,

DON YOUNG,
Chairman.

Enclosures.

ALTERATION—IRS ENTERPRISE COMPUTING
CENTER, MARTINSBURG, WV

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for the design of the alteration of the Internal Revenue Service Enterprise Computing Center located in Martinsburg, West Virginia, at a design and review cost of \$2,893,000, for which a prospectus is attached to, and included in, this resolution.

Approval of this resolution also constitutes authority to perform prospectus level interim repairs as deemed necessary, to maintain the continued operation of the building until the project is completed.